

TOWN OF MERRILLVILLE
TOWN COUNCIL MEETING
October 10, 2017

CALL TO ORDER: 6:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Ms. LaMarca was absent. All other members were present.

PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS AND REMONSTRATIONS:

President Hardaway acknowledged that the month of October is “Breast Cancer Awareness” month.

President Hardaway congratulated Mr. Gene Ward on receiving a plaque in honor of his service during the Korean conflict.

A request was received from Ross Township Trustee Office requesting to waive permit fees for the construction of a new roof. Mr. Pettit made a motion to approve and was seconded by Mr. Spann. Ross Township Trustee Office will still be responsible for paying the inspection fee. There was no further discussion. The motion was approved by a unanimous voice vote.

CONSENT AGENDA:

Approval of the Accounts Payable Register Voucher dated October 10, 2017. Approval of Town Council Meeting Minutes of September 26, 2017. Mrs. Uzelac made a motion to approve and was seconded by Mrs. Barron. There was no discussion. The motion was approved by a unanimous voice vote.

STANDING COMMITTEES:

BUDGET & FINANCE:

Mr. Pettit commented there will be a second reading for Ordinance 17-20 regarding the 2018 Budget approval later this meeting.

PUBLIC WORKS:

Mr. Minchuk said that the fall edition Talk of the Town newsletter has been sent out and includes the leaf pick up schedule.

Mr. Minchuk referred to Mr. Laird, Director of Planning and Building for report. Mr. Laird provided the details of the recommendation from Robinson Engineering for accepting into Town’s inventory all streets and associated improvements within the Madison Meadows Phase 3 subdivision. Mr. Pettit made a motion to approve and was seconded by Mr. Spann. Discussion followed regarding the accepting either a bond or letter of credit for the project. The motion was approved by a unanimous voice vote.

COUNCIL AFFAIRS:

Mrs. Uzelac received a call from a homeowner to discuss an issue regarding the installation of a deck that may have been improperly installed. Sheila Shine provided the details related to this matter and said that the contractor did the work without being issued a valid Town permit. Discussion followed. Sheila Shine said there is a meeting scheduled to discuss a resolution for this matter.

PERSONNEL POLICY & EMPLOYEE BENEFITS:

Mrs. Barron had no report.

PUBLIC SAFETY:

Mrs. Uzelac had no report. Mr. Pettit questioned notices being taped on mailboxes for painting numbers on the curb in the location near Madison. Discussion followed related to this situation.

PARKS & RECREATION:

Ms. LaMarca was absent. Jan Orlich had no report.

ENVIRONMENTAL AFFAIRS:

Mrs. Barron said that Lake County Solid Waste has a new website available which includes information on the types of acceptable recyclables and locations for where to take them. Mr. Lake provided information about receiving a low bid for Sunset drainage improvement project. Mr. Lake said they finished an emergency culvert replacement on 84th Ave. Robinson Engineering is 90% complete with their engineering plans for the Independence Street drainage improvement project. Mr. Pettit thanked Mr. Lake for cleaning up the pond on Mississippi.

ELECTIONS & PUBLIC RELATIONS:

Ms. LaMarca was absent no report. Mr. Pettit invited the Town Council Members to the Annual Crossroads Regional Chamber Gala which will be held at 6 p.m. on Saturday, November 18, 2017 at Avalon Manor.

ECONOMIC DEVELOPMENT:

Mr. Pettit had no report.

UTILITY LIAISON:

Mr. Spann had no report.

ABANDONED PROPERTIES:

President Hardaway said an offer was accepted for the property at 5678 Broadway. President Hardaway commented that the location has been cleaned up and looks a lot better. President Hardaway provided an update regarding the Old Mill property. Discussion followed related to this topic.

GENERAL ORDERS:

FIRST READING ORDINANCES:

Ord. 17-21: An Ordinance of the Town of Merrillville, Lake County, Indiana, creating a budget line item within the Police Department General Fund budget. Mr. Pettit made a motion to approve the ordinance and was seconded by Mrs. Barron. There was no discussion. The motion carried by a 6-0 roll call vote.

Ord. 17-22: An Ordinance of the Town of Merrillville, Lake County, Indiana, providing that the Code of Ordinances, Section 16-2, Ordinance 89-65 be amended to increase clothing allowance. Mrs. Uzelac made a motion to approve the ordinance and was seconded by Mr. Spann. There was no discussion. The motion carried by a 6-0 roll call vote.

Ord. 17-23: An Ordinance of the Town of Merrillville, Lake County, Indiana, amending Ordinance 17-01 and pay for employees of the Town of Merrillville, Indiana for the calendar year 2018. Mr. Spann made a motion to approve the ordinance and was seconded by Mrs. Barron. There was no discussion. The motion carried by a 6-0 roll call vote.

Ord. 17-24: An Ordinance of the Town of Merrillville, Indiana providing that the Zoning Ordinance of the Town of Merrillville, Lake County, Indiana be amended by changing the established C-3 and R-2 Zoning Classification to a PUD-C-3 Zoning Classification. Mrs. Uzelac made a motion to approve the ordinance and was seconded by Mrs. Barron. There was no discussion. The motion carried by a 6-0 roll call vote.

SECOND READING ORDINANCES:

Ord. 17-19: An Ordinance of the Town of Merrillville, Lake County, Indiana authorizing the issuance of general obligation bonds for the purpose of providing funds to pay for certain capital projects and incidental expenses in connection therewith and on account of the issuance of the bonds, appropriating the proceeds thereof, and all matters related thereto. Mrs. Uzelac made a motion to approve the ordinance and was seconded by Mrs. Barron. There was no public comment or discussion. The motion carried by a 6-0 roll call vote.

Ord. 17-20: Be it ordained / resolved by the Town of Merrillville that for the expenses of MERRILLVILLE CIVIL TOWN for the year ending December 31, 2018 the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of MERRILLVILLE CIVIL TOWN, the properly tax levies and property tax rates as herein specified are included herein. Budget From 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance. This ordinance/resolution shall be in full force and effect from and after its passage and approval by the Town of Merrillville. Mrs. Uzelac made a motion to approve the ordinance and was seconded by Mr. Pettit. There was no public comment or discussion. The motion carried by a 6-0 roll call vote.

RESOLUTIONS:

Res. 17-27: A Resolution of the Town of Merrillville, Lake County, Indiana authorizing forgiveness of the shortfall loan for 2012 G.O. Bond. Mr. Spann made a motion to approve the resolution and was seconded by Mrs. Uzelac. There was no discussion. The motion was approved by a unanimous voice vote.

Res. 17-28: A Resolution of the Town of Merrillville, Lake County, Indiana, transferring monies within the 2017 Court Probation Fund of the Town Court of Merrillville. Mr. Pettit made a motion to approve the resolution and was seconded by Mr. Spann. There was no discussion. The motion was approved by a unanimous voice vote.

Res. 17-29: A Resolution of the Town of Merrillville, Lake County, Indiana, transferring monies of the 2017 budget within the Fire and Hazmat Fund. Mrs. Barron made a motion to approve the resolution and was seconded by Mr. Pettit. There was no discussion. The motion was approved by a unanimous voice vote.

BZA ACTIONS:

Petitioner: Alicia Claiborne
Owner: R.E.M.I Corporation
Request: Special exception approval
Purpose: Proposed biblical & leadership training center
Location: 5401 Broadway
Zoning: C-2, Community Commercial
Case #: Z35E15-0917
Conditions: For this petitioner only, at this location only, for this use only.

Sheila Shine provided the Staff Report for the request. Mr. Pettit made a motion to approve with discussion and Mrs. Barron seconded the motion. Discussion followed related to parking for the location. Mr. Pettit modified his motion to include documentation of parking agreement by next Town Council meeting. Mrs. Barron modified her seconded motion. There was no further discussion. The motion was approved by a unanimous voice vote.

Mr. Pettit and Mrs. Barron rescinded their previous motions. Mr. Pettit made a motion to table request for 30 days and included a condition that documentation of a site plan for the parking requirements to be presented by petitioner. This documentation will need to be reviewed by Planning and Building. Mrs. Uzelac seconded the motion to table the request with condition. The motion to table for 30 days was approved by a unanimous voice vote.

Petitioner: Parvinder Singh
Owner: Roger Haywood
Request: Special exception approval
Purpose: Proposed gas station
Location: 400-430 West 73rd Avenue
Zoning: C-2, Community Commercial
Case #: Z36E16-0917
Conditions: Must erect a privacy fence.

Sheila Shine provided the Staff Report for the request. Discussion among Town Council followed. Mr. Minchuk made a motion to deny request. Mr. Pettit seconded the motion to deny. There was no further discussion. The motion to deny was supported by a unanimous voice vote.

Petitioner: Serrita Conner
Owner: R.E.M.I Corporation
Request: Special exception approval
Purpose: Holistic herbal treatment center for women
Location: 5417 Broadway
Zoning: C-2, Community Commercial
Case #: Z37E17-0917
Conditions: For this petitioner only, at this location only, for this use only.

Sheila Shine provided the Staff Report for the request. Mrs. Barron made a motion to approve with discussion and Mr. Pettit seconded the motion. Discussion followed related to parking for the location.

Mrs. Barron and Mr. Pettit rescinded their previous motions. Mr. Pettit made a motion to table request for 30 days and included a condition that documentation of a site plan for the parking requirements to be presented by petitioner. This documentation will need to be reviewed by Planning and Building. Mrs. Barron seconded the motion to table request including condition. The motion to table for 30 days was approved by a unanimous voice vote.

Petitioner: Brandi Smith
Owner: Lake County Trust, Trust #4635
Request: Special exception approval
Purpose: Autism Center
Location: 1583 East 85th Avenue
Zoning: C-3, Highway Commercial
Case #: Z38E18-0917
Conditions: For this petitioner only, at this location only, for this use only.

Sheila Shine provided the Staff Report for the request. Mr. Pettit made a motion to approve and was seconded by Mrs. Barron. Comment and discussion followed. The motion was approved by a unanimous voice vote.

OLD BUSINESS:

None

NEW BUSINESS:

None

PUBLIC COMMENT:

All public comment is recorded on an audio file and kept on file in the Clerk-Treasurer's Office at Town Hall.

ANNOUNCEMENTS:

Plan Commission meeting, October 17, 2017 at 6:30 p.m.

Environmental Resource Committee meeting, October 19, 2017 at 2:00 p.m.

Town Council meeting, October 24, 2017, at 6:30 p.m.

President Hardaway invited everyone to attend the Congregation of Merrillville First Responders Prayer Breakfast on Saturday, November 4, 2017 at 9:30 a.m. at Our Lady of Consolation Church.

ADJOURNMENT: Mr. Pettit made a motion to adjourn and was seconded by Mrs. Barron.

Richard Hardaway, President

Eugene Guernsey, Clerk-Treasurer